REMARKS

Claims 1-35 are pending in the present application. Claims 1-35 have been examined and are rejected. In the above amendments, claims 1-3, 8, 10, 11, 14, 18, 20-24, 26, 31 and 32 have been amended, and new claims 36-39 have been added. Therefore, after entry of the above amendments, claims 1-39 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Rejection of Claims 1-4, 7, 8 10-14, 18-23 and 31-35 Under 35 U.S.C. §103(a)

Claims 1-4, 7, 8 10-14, 18-23 and 31-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt *et al* (U.S. Patent No. 5,524,280) in view of Attimont *et al* (U.S. Publication No. 20010046861).

Douthitt discloses a method of acquiring a channel in a general frequency reuse system. The method includes (1) fast scanning a predetermined list of data channels to identify a fast scanned channel, (2) if the fast scanned channel is not identified, intermediate scanning the predetermined list of data channels to identify an intermediate scanned channel, and (3) if the intermediate scanned channel is not identified, slow scanning the predetermined list of data channels to identify a slow scanned channel. (See the Abstract, column 5, lines 41-43, column 6, lines 65-67, and column 8, lines 24-28.) The fast, intermediate, and slow scanning are performed on the same predetermined list of data channels. The fast scanning evaluates each data channel for a short scan period and can acquire a channel with a high transmit duty cycle. (See column 5, lines 43-48). The intermediate scanning evaluates each data channel for an intermediate scan period and can acquire a channel with a moderate transmit duty cycle. (See column 6, line 65 to column 7, line 4). The slow scanning evaluates each data channel for a long scan period and can acquire a channel with a minimum transmit duty cycle. (See column 8, lines 29-33).

Attimont discloses a method of connecting to a wireless network by a terminal that is in a standby mode. Initially, the terminal is connected to a station and continually measures the intensity of the signal from this station. The signal intensity may (a) decrease gradually prior to the terminal going into the standby mode, as shown in FIG. 1, or (b) is constant during the period preceding entry into the standby mode, as shown in FIG. 2. In either case, the terminal enters the standby mode when it does not detect any signal and no network is available. (See paragraph 0044.) While in the standby mode, if the intensity had decreased progressively, then the terminal periodically scans all the frequencies. (See paragraph 0048.). Conversely, if the intensity was constant before entry into the standby mode, then the terminal performs a partial scan of the frequencies of the network. (See paragraph 0053.) For the partial scan, the terminal scans different scanning sequences, with each scanning sequence containing different frequencies.

Claim 1 of the present invention, as amended, recites:

> "A wireless device in a wireless communication system, comprising:
>
> a receiver unit operative to perform a full power scan on an entire list of radio frequency (RF) channels of interest for cell selection to find a current serving cell from which to receive communication service, to perform a partial power scan on a first list of RF channels for cell reselection to switch from the current serving cell to a new serving cell, and to provide received signal strength measurements for the RF channels in the first list, wherein the first list includes RF channels on which to search for a suitable cell from which communication service may be received, and wherein the first list includes fewer than all RF channels in the entire list evaluated for cell selection; and
>
> a controller operative to obtain a second list of at least one RF channel selected from among the RF channels in the first list, to initiate processing of the at least one RF channel in the second list to find the suitable cell, and to select the suitable cell, if found, as the new serving cell from which to receive service."

Applicant submits that claim 1 is patentable over Douthitt in view of Attimont for at least the following reasons.

First, the combination of Douthitt and Attimont does not disclose "perform a full power scan … for cell selection to find a current serving cell …, perform a partial power scan … for cell reselection to switch from the current serving cell to a new serving cell," as recited in claim 1.

Claim 1 recites two different power scans for two different purposes - full power scan for cell selection (e.g., at power on) and partial power scan for cell reselection (e.g., if a better cell is found or the current serving cell becomes unsuitable). The Office Action indicates that Douthitt does not disclose partial scan for cell reselection. Applicant submits that Attimont also does not disclose partial scan for cell reselection. Rather, Attimont performs partial scan when the terminal is in a standby mode with no network available, which may correspond to the cell selection (and not cell reselection) recited in claim 1. Furthermore, Attimont performs partial scan only if the signal intensity was constant before entry into the standby mode, which is designed to cover the scenario in which the terminal enters a tunnel or a car park and the signal was lost abruptly. Attimont thus performs partial scan for a different purpose (cell selection) than the purpose recited in claim 1.

Second, the combination of Douthitt and Attimont does not disclose "obtain a second list of at least one RF channel selected from among the RF channels in the first list," as recited in claim 1. The Office Action indicates that the second list of RF channel(s) corresponds to the ranked list of channels disclosed in column 6, lines 3-5 of Douthitt. This section states "computing the weight for each channel in the predetermined list effectively provides a ranked list of channels." The ranked list thus contains the same channels as the predetermined list, with the channels in the ranked list being sorted. Douthitt does not disclosed selecting RF channel(s) from the first list to obtain the second list, as recited in claim 1.

Third, the combination of Douthitt and Attimont does not disclose "initiate processing of the at least one RF channel in the second list to find the suitable cell," as recited in claim 1. Claim 1 recites processing RF channel(s) that have been selected from the first list. In contrast, Douthitt discloses processing each channel in the ranked/predetermined list, one channel at a time, until all channels are processed. (See block **207** in FIG. 2 of Douthitt.)

For at least the above reasons, Applicant submits that claim 1 is patentable over Douthitt in view of Attimont.

Independent claims 8, 20, 21, 22, 23, 31 and 32 have been amended to recite the features noted above for claim 1. Claims 2-4 and 7 are dependent on claim 1. Claims 10-14, 18 and 19 are dependent on claim 8. Claims 33-35 are dependent on claim 32. These claims are patentable over Douthitt in view of Attimont for at least the reasons noted for claim 1.

Accordingly, the §103(a) rejection of claims 1-4, 7, 8 10-14, 18-23 and 31-35 should be withdrawn.

Rejection of Claims 5, 6, 9, 15-17 and 24-30 Under 35 U.S.C. §103(a)

Claims 5, 6, 15-17 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt in view of Attimont and further in view of Gaastra (U.S. Patent No. 6,327,469).

Claims 25-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt in view of Attimont and Gaastra and further view of Otting *et al* (U.S. Patent No. 6,771,960).

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt in view of Attimont and further in view of Escamilla *et al* (U.S. Patent No. 6,389,285).

Claims 5 and 6 are dependent on claim 1. Claims 9 and 15-17 are dependent on claim 8. Claims 24-30 are dependent on claim 23. The combination of Douthitt and Attimont does not disclose all of the elements of base claims 1, 8 and 23 for the reasons noted above. The combination of Douthitt and Attimont is thus an insufficient basis for the §103(a) rejection of dependent claims 5, 6, 9, 15-17 and 24-30. The Gaastra reference does not address the deficiencies of the Douthitt and Attimont references.

Accordingly, the §103(a) rejection of claims 5, 6, 9, 15-17 and 24-30 should be withdrawn.

New Claims

New claims 36-39 recite additional features of the invention. Claims 36-39 are dependent on claim 1 and are patentable for at least the reasons noted above for claim 1.

CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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